

Part 1

Driver License Division Administration

53-3-101 Short title.

This chapter is known as the "Uniform Driver License Act."

Renumbered and Amended by Chapter 234, 1993 General Session

53-3-102 Definitions.

As used in this chapter:

- (1) "Autocycle" means a motor vehicle that:
 - (a) is designed to travel with three or fewer wheels in contact with the ground;
 - (b) is equipped with a steering wheel; and
 - (c) is equipped with seating that does not require the operator to straddle or sit astride the vehicle.
- (2) "Cancellation" means the termination by the division of a license issued through error or fraud or for which consent under Section 53-3-211 has been withdrawn.
- (3) "Class D license" means the class of license issued to drive motor vehicles not defined as commercial motor vehicles or motorcycles under this chapter.
- (4) "Commercial driver instruction permit" or "CDIP" means a commercial learner permit:
 - (a) issued under Section 53-3-408; or
 - (b) issued by a state or other jurisdiction of domicile in compliance with the standards contained in 49 C.F.R. Part 383.
- (5) "Commercial driver license" or "CDL" means a license:
 - (a) issued substantially in accordance with the requirements of Title XII, Pub. L. 99-570, the Commercial Motor Vehicle Safety Act of 1986, and in accordance with Part 4, Uniform Commercial Driver License Act, which authorizes the holder to drive a class of commercial motor vehicle; and
 - (b) that was obtained by providing evidence of lawful presence in the United States with one of the document requirements described in Subsection 53-3-410(1)(i)(i).
- (6)
 - (a) "Commercial driver license motor vehicle record" or "CDL MVR" means a driving record that:
 - (i) applies to a person who holds or is required to hold a commercial driver instruction permit or a CDL license; and
 - (ii) contains the following:
 - (A) information contained in the driver history, including convictions, pleas held in abeyance, disqualifications, and other licensing actions for violations of any state or local law relating to motor vehicle traffic control, committed in any type of vehicle;
 - (B) driver self-certification status information under Section 53-3-410.1; and
 - (C) information from medical certification record keeping in accordance with 49 C.F.R. Sec. 383.73(o).
 - (b) "Commercial driver license motor vehicle record" or "CDL MVR" does not mean a motor vehicle record described in Subsection (30).
- (7)
 - (a) "Commercial motor vehicle" means a motor vehicle or combination of motor vehicles designed or used to transport passengers or property if the motor vehicle:

- (i) has a gross vehicle weight rating of 26,001 or more pounds or a lesser rating as determined by federal regulation;
 - (ii) is designed to transport 16 or more passengers, including the driver; or
 - (iii) is transporting hazardous materials and is required to be placarded in accordance with 49 C.F.R. Part 172, Subpart F.
- (b) The following vehicles are not considered a commercial motor vehicle for purposes of Part 4, Uniform Commercial Driver License Act:
 - (i) equipment owned and operated by the United States Department of Defense when driven by any active duty military personnel and members of the reserves and national guard on active duty including personnel on full-time national guard duty, personnel on part-time training, and national guard military technicians and civilians who are required to wear military uniforms and are subject to the code of military justice;
 - (ii) vehicles controlled and driven by a farmer to transport agricultural products, farm machinery, or farm supplies to or from a farm within 150 miles of his farm but not in operation as a motor carrier for hire;
 - (iii) firefighting and emergency vehicles;
 - (iv) recreational vehicles that are not used in commerce and are driven solely as family or personal conveyances for recreational purposes; and
 - (v) vehicles used to provide transportation network services, as defined in Section 13-51-102.
- (8) "Conviction" means any of the following:
 - (a) an unvacated adjudication of guilt or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or an administrative proceeding;
 - (b) an unvacated forfeiture of bail or collateral deposited to secure a person's appearance in court;
 - (c) a plea of guilty or nolo contendere accepted by the court;
 - (d) the payment of a fine or court costs; or
 - (e) violation of a condition of release without bail, regardless of whether the penalty is rebated, suspended, or probated.
- (9) "Denial" or "denied" means the withdrawal of a driving privilege by the division to which the provisions of Title 41, Chapter 12a, Part 4, Proof of Owner's or Operator's Security, do not apply.
- (10) "Director" means the division director appointed under Section 53-3-103.
- (11) "Disqualification" means either:
 - (a) the suspension, revocation, cancellation, denial, or any other withdrawal by a state of a person's privileges to drive a commercial motor vehicle;
 - (b) a determination by the Federal Highway Administration, under 49 C.F.R. Part 386, that a person is no longer qualified to drive a commercial motor vehicle under 49 C.F.R. Part 391; or
 - (c) the loss of qualification that automatically follows conviction of an offense listed in 49 C.F.R. Part 383.51.
- (12) "Division" means the Driver License Division of the department created in Section 53-3-103.
- (13) "Downgrade" means to obtain a lower license class than what was originally issued during an existing license cycle.
- (14) "Drive" means:
 - (a) to operate or be in physical control of a motor vehicle upon a highway; and
 - (b) in Subsections 53-3-414(1) through (3), Subsection 53-3-414(5), and Sections 53-3-417 and 53-3-418, the operation or physical control of a motor vehicle at any place within the state.
- (15)

- (a) "Driver" means any person who drives, or is in actual physical control of a motor vehicle in any location open to the general public for purposes of vehicular traffic.
- (b) In Part 4, Uniform Commercial Driver License Act, "driver" includes any person who is required to hold a CDL under Part 4, Uniform Commercial Driver License Act, or federal law.
- (16) "Driving privilege card" means the evidence of the privilege granted and issued under this chapter to drive a motor vehicle to a person whose privilege was obtained without providing evidence of lawful presence in the United States.
- (17) "Extension" means a renewal completed in a manner specified by the division.
- (18) "Farm tractor" means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.
- (19) "Highway" means the entire width between property lines of every way or place of any nature when any part of it is open to the use of the public, as a matter of right, for traffic.
- (20) "Identification card" means a card issued under Part 8, Identification Card Act, to a person for identification purposes.
- (21) "Indigent" means that a person's income falls below the federal poverty guideline issued annually by the U.S. Department of Health and Human Services in the Federal Register.
- (22) "License" means the privilege to drive a motor vehicle.
- (23)
 - (a) "License certificate" means the evidence of the privilege issued under this chapter to drive a motor vehicle.
 - (b) "License certificate" evidence includes a:
 - (i) regular license certificate;
 - (ii) limited-term license certificate;
 - (iii) driving privilege card;
 - (iv) CDL license certificate;
 - (v) limited-term CDL license certificate;
 - (vi) temporary regular license certificate; and
 - (vii) temporary limited-term license certificate.
- (24) "Limited-term commercial driver license" or "limited-term CDL" means a license:
 - (a) issued substantially in accordance with the requirements of Title XII, Pub. L. No. 99-570, the Commercial Motor Vehicle Safety Act of 1986, and in accordance with Part 4, Uniform Commercial Driver License Act, which authorizes the holder to drive a class of commercial motor vehicle; and
 - (b) that was obtained by providing evidence of lawful presence in the United States with one of the document requirements described in Subsection 53-3-410(1)(i)(ii).
- (25) "Limited-term identification card" means an identification card issued under this chapter to a person whose card was obtained by providing evidence of lawful presence in the United States with one of the document requirements described in Subsection 53-3-804(2)(i)(ii).
- (26) "Limited-term license certificate" means the evidence of the privilege granted and issued under this chapter to drive a motor vehicle to a person whose privilege was obtained providing evidence of lawful presence in the United States with one of the document requirements described in Subsection 53-3-205(8)(a)(ii)(B).
- (27) "Motorboat" means the same as that term is defined in Section 73-18-2.
- (28) "Motorcycle" means every motor vehicle, other than a tractor, having a seat or saddle for the use of the rider and designed to travel with not more than three wheels in contact with the ground.
- (29) "Motor vehicle" means the same as that term is defined in Section 41-1a-102.
- (30) "Motor vehicle record" or "MVR" means a driving record under Subsection 53-3-109(6)(a).

- (31) "Office of Recovery Services" means the Office of Recovery Services, created in Section 62A-11-102.
- (32)
- (a) "Owner" means a person other than a lien holder having an interest in the property or title to a vehicle.
 - (b) "Owner" includes a person entitled to the use and possession of a vehicle subject to a security interest in another person but excludes a lessee under a lease not intended as security.
- (33)
- (a) "Private passenger carrier" means any motor vehicle for hire that is:
 - (i) designed to transport 15 or fewer passengers, including the driver; and
 - (ii) operated to transport an employee of the person that hires the motor vehicle.
 - (b) "Private passenger carrier" does not include a motor vehicle driven:
 - (i) by a transportation network driver as defined in Section 13-51-102;
 - (ii) for transportation network services as defined in Section 13-51-102; and
 - (iii) for a transportation network company as defined in Section 13-51-102 and registered with the Division of Consumer Protection as described in Section 13-51-104.
- (34) "Regular identification card" means an identification card issued under this chapter to a person whose card was obtained by providing evidence of lawful presence in the United States with one of the document requirements described in Subsection 53-3-804(2)(i)(i).
- (35) "Regular license certificate" means the evidence of the privilege issued under this chapter to drive a motor vehicle whose privilege was obtained by providing evidence of lawful presence in the United States with one of the document requirements described in Subsection 53-3-205(8)(a)(ii)(A).
- (36) "Renewal" means to validate a license certificate so that it expires at a later date.
- (37) "Reportable violation" means an offense required to be reported to the division as determined by the division and includes those offenses against which points are assessed under Section 53-3-221.
- (38)
- (a) "Resident" means an individual who:
 - (i) has established a domicile in this state, as defined in Section 41-1a-202, or regardless of domicile, remains in this state for an aggregate period of six months or more during any calendar year;
 - (ii) engages in a trade, profession, or occupation in this state, or who accepts employment in other than seasonal work in this state, and who does not commute into the state;
 - (iii) declares himself to be a resident of this state by obtaining a valid Utah driver license certificate or motor vehicle registration; or
 - (iv) declares himself a resident of this state to obtain privileges not ordinarily extended to nonresidents, including going to school, or placing children in school without paying nonresident tuition or fees.
 - (b) "Resident" does not include any of the following:
 - (i) a member of the military, temporarily stationed in this state;
 - (ii) an out-of-state student, as classified by an institution of higher education, regardless of whether the student engages in any type of employment in this state;
 - (iii) a person domiciled in another state or country, who is temporarily assigned in this state, assigned by or representing an employer, religious or private organization, or a governmental entity; or

- (iv) an immediate family member who resides with or a household member of a person listed in Subsections (38)(b)(i) through (iii).
- (39) "Revocation" means the termination by action of the division of a licensee's privilege to drive a motor vehicle.
- (40)
 - (a) "School bus" means a commercial motor vehicle used to transport pre-primary, primary, or secondary school students to and from home and school, or to and from school sponsored events.
 - (b) "School bus" does not include a bus used as a common carrier as defined in Section 59-12-102.
- (41) "Suspension" means the temporary withdrawal by action of the division of a licensee's privilege to drive a motor vehicle.
- (42) "Taxicab" means any class D motor vehicle transporting any number of passengers for hire and that is subject to state or federal regulation as a taxi.

Amended by Chapter 40, 2016 General Session

Amended by Chapter 321, 2016 General Session

53-3-103 Driver License Division -- Creation -- Director -- Appointment -- Term -- Compensation.

- (1) There is created within the department the Driver License Division.
- (2) The division shall be administered by a director appointed by the commissioner with the approval of the governor.
- (3) The director is the executive and administrative head of the division and shall be experienced in administration and possess additional qualifications as determined by the commissioner and as provided by law.
- (4) The director acts under the supervision and control of the commissioner and may be removed from his position at the will of the commissioner.
- (5) The director shall receive compensation as provided by Title 67, Chapter 19, Utah State Personnel Management Act.

Enacted by Chapter 234, 1993 General Session

53-3-104 Division duties.

The division shall:

- (1) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules:
 - (a) for examining applicants for a license, as necessary for the safety and welfare of the traveling public;
 - (b) for acceptable documentation of an applicant's identity, Social Security number, Utah resident status, Utah residence address, proof of legal presence, proof of citizenship in the United States, honorable or general discharge from the United States military, and other proof or documentation required under this chapter;
 - (c) regarding the restrictions to be imposed on a person driving a motor vehicle with a temporary learner permit or learner permit;
 - (d) for exemptions from licensing requirements as authorized in this chapter; and
 - (e) establishing procedures for the storage and maintenance of applicant information provided in accordance with Section 53-3-205, 53-3-410, or 53-3-804;
- (2) examine each applicant according to the class of license applied for;

- (3) license motor vehicle drivers;
- (4) file every application for a license received by it and shall maintain indices containing:
 - (a) all applications denied and the reason each was denied;
 - (b) all applications granted; and
 - (c) the name of every licensee whose license has been suspended, disqualified, or revoked by the division and the reasons for the action;
- (5) suspend, revoke, disqualify, cancel, or deny any license issued in accordance with this chapter;
- (6) file all accident reports and abstracts of court records of convictions received by it under state law;
- (7) maintain a record of each licensee showing the licensee's convictions and the traffic accidents in which the licensee has been involved where a conviction has resulted;
- (8) consider the record of a licensee upon an application for renewal of a license and at other appropriate times;
- (9) search the license files, compile, and furnish a report on the driving record of any person licensed in the state in accordance with Section 53-3-109;
- (10) develop and implement a record system as required by Section 41-6a-604;
- (11) in accordance with Section 53A-13-208, establish:
 - (a) procedures and standards to certify teachers of driver education classes to administer knowledge and skills tests;
 - (b) minimal standards for the tests; and
 - (c) procedures to enable school districts to administer or process any tests for students to receive a class D operator's license;
- (12) in accordance with Section 53-3-510, establish:
 - (a) procedures and standards to certify licensed instructors of commercial driver training school courses to administer the skills test;
 - (b) minimal standards for the test; and
 - (c) procedures to enable licensed commercial driver training schools to administer or process skills tests for students to receive a class D operator's license;
- (13) provide administrative support to the Driver License Medical Advisory Board created in Section 53-3-303;
- (14) upon request by the lieutenant governor, provide the lieutenant governor with a digital copy of the driver license or identification card signature of a person who is an applicant for voter registration under Section 20A-2-206; and
- (15) in accordance with Section 53-3-407.1, establish:
 - (a) procedures and standards to license a commercial driver license third party tester or commercial driver license third party examiner to administer the commercial driver license skills tests;
 - (b) minimum standards for the commercial driver license skills test; and
 - (c) procedures to enable a licensed commercial driver license third party tester or commercial driver license third party examiner to administer a commercial driver license skills test for an applicant to receive a commercial driver license.

Amended by Chapter 85, 2014 General Session

53-3-104.5 Legislative finding -- Prohibition on implementing REAL ID Act.

- (1) As used in this section, "REAL ID Act" means the REAL ID Act of 2005 enacted by the United States Congress as part of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief Act, Pub. L. No. 109-13.

- (2) The Legislature finds that the United States Congress' enactment of the REAL ID Act into law:
 - (a) is inimical to the security and well-being of the people of this state;
 - (b) will cause unneeded expense and inconvenience to the people of this state; and
 - (c) was adopted in violation of the principles of federalism contained in the Tenth Amendment to the United States Constitution.
- (3)
 - (a) The state may not participate in the implementation of the REAL ID Act.
 - (b) The division:
 - (i) may not implement the provisions of the REAL ID Act; and
 - (ii) shall report to the governor any attempt by an agency or an agent of the United States Department of Homeland Security to secure the implementation of the REAL ID Act.
- (4) This section does not preclude the division from complying with provisions of the REAL ID Act that are already:
 - (a) adopted by administrative rule; or
 - (b) authorized under this code.

Enacted by Chapter 253, 2010 General Session

53-3-105 Fees for licenses, renewals, extensions, reinstatements, rescheduling, and identification cards.

The following fees apply under this chapter:

- (1) An original class D license application under Section 53-3-205 is \$25.
- (2) An original provisional license application for a class D license under Section 53-3-205 is \$30.
- (3) An original application for a motorcycle endorsement under Section 53-3-205 is \$9.50.
- (4) An original application for a taxicab endorsement under Section 53-3-205 is \$7.
- (5) A learner permit application under Section 53-3-210.5 is \$15.
- (6) A renewal of a class D license under Section 53-3-214 is \$25 unless Subsection (10) applies.
- (7) A renewal of a provisional license application for a class D license under Section 53-3-214 is \$25.
- (8) A renewal of a motorcycle endorsement under Section 53-3-214 is \$9.50.
- (9) A renewal of a taxicab endorsement under Section 53-3-214 is \$7.
- (10) A renewal of a class D license for a person 65 and older under Section 53-3-214 is \$13.
- (11) An extension of a class D license under Section 53-3-214 is \$20 unless Subsection (15) applies.
- (12) An extension of a provisional license application for a class D license under Section 53-3-214 is \$20.
- (13) An extension of a motorcycle endorsement under Section 53-3-214 is \$9.50.
- (14) An extension of a taxicab endorsement under Section 53-3-214 is \$7.
- (15) An extension of a class D license for a person 65 and older under Section 53-3-214 is \$11.
- (16) An original or renewal application for a commercial class A, B, or C license or an original or renewal of a provisional commercial class A or B license under Part 4, Uniform Commercial Driver License Act, is:
 - (a) \$40 for the knowledge test; and
 - (b) \$60 for the skills test.
- (17) Each original CDL endorsement for passengers, hazardous material, double or triple trailers, or tankers is \$7.
- (18) An original CDL endorsement for a school bus under Part 4, Uniform Commercial Driver License Act, is \$7.

- (19) A renewal of a CDL endorsement under Part 4, Uniform Commercial Driver License Act, is \$7.
- (20)
- (a) A retake of a CDL knowledge test provided for in Section 53-3-205 is \$20.
 - (b) A retake of a CDL skills test provided for in Section 53-3-205 is \$40.
- (21) A retake of a CDL endorsement test provided for in Section 53-3-205 is \$7.
- (22) A duplicate class A, B, C, or D license certificate under Section 53-3-215 is \$18.
- (23)
- (a) A license reinstatement application under Section 53-3-205 is \$30.
 - (b) A license reinstatement application under Section 53-3-205 for an alcohol, drug, or combination of alcohol and any drug-related offense is \$35 in addition to the fee under Subsection (23)(a).
- (24)
- (a) An administrative fee for license reinstatement after an alcohol, drug, or combination of alcohol and any drug-related offense under Section 41-6a-520, 53-3-223, or 53-3-231 or an alcohol, drug, or combination of alcohol and any drug-related offense under Part 4, Uniform Commercial Driver License Act, is \$230.
 - (b) This administrative fee is in addition to the fees under Subsection (23).
- (25)
- (a) An administrative fee for providing the driving record of a driver under Section 53-3-104 or 53-3-420 is \$6.
 - (b) The division may not charge for a report furnished under Section 53-3-104 to a municipal, county, state, or federal agency.
- (26) A rescheduling fee under Section 53-3-205 or 53-3-407 is \$25.
- (27)
- (a) Except as provided under Subsections (27)(b) and (c), an identification card application under Section 53-3-808 is \$18.
 - (b) An identification card application under Section 53-3-808 for a person with a disability, as defined in 42 U.S.C. Sec. 12102, is \$13.
 - (c) A fee may not be charged for an identification card application if the person applying:
 - (i) has not been issued a Utah driver license;
 - (ii) is indigent; and
 - (iii) is at least 18 years of age.
- (28) An extension of a regular identification card under Subsection 53-3-807(5) for a person with a disability, as defined in 42 U.S.C. Sec. 12102, is \$13.
- (29) An extension of a regular identification card under Subsection 53-3-807(6) is \$18.
- (30) In addition to any license application fees collected under this chapter, the division shall impose on individuals submitting fingerprints in accordance with Section 53-3-205.5 the fees that the Bureau of Criminal Identification is authorized to collect for the services the Bureau of Criminal Identification provides under Section 53-3-205.5.
- (31) An original mobility vehicle permit application under Section 41-6a-1118 is \$25.
- (32) A renewal of a mobility vehicle permit under Section 41-6a-1118 is \$25.
- (33) A duplicate mobility vehicle permit under Section 41-6a-1118 is \$10.

Amended by Chapter 225, 2014 General Session
Amended by Chapter 252, 2014 General Session
Amended by Chapter 343, 2014 General Session

53-3-106 Disposition of revenues under this chapter -- Restricted account created -- Uses as provided by appropriation -- Nonlapsing.

- (1) There is created within the Transportation Fund a restricted account known as the "Department of Public Safety Restricted Account."
- (2) The account consists of money generated from the following revenue sources:
 - (a) all money received under this chapter;
 - (b) administrative fees received according to the fee schedule authorized under this chapter and Section 63J-1-504;
 - (c) beginning on January 1, 2013, money received in accordance with Section 41-1a-1201; and
 - (d) any appropriations made to the account by the Legislature.
- (3)
 - (a) The account shall earn interest.
 - (b) All interest earned on account money shall be deposited in the account.
- (4) The expenses of the department in carrying out this chapter shall be provided for by legislative appropriation from this account.
- (5) The amount in excess of \$45 of the fees collected under Subsection 53-3-105(24) shall be appropriated by the Legislature from this account to the department to implement the provisions of Section 53-1-117, except that of the amount in excess of \$45, \$100 shall be deposited in the State Laboratory Drug Testing Account created in Section 26-1-34.
- (6) All money received under Subsection 41-6a-1406(6)(b)(ii) shall be appropriated by the Legislature from this account to the department to implement the provisions of Section 53-1-117.
- (7) Beginning in fiscal year 2009-10, the Legislature shall appropriate \$100,000 annually from the account to the state medical examiner appointed under Section 26-4-4 for use in carrying out duties related to highway crash deaths under Subsection 26-4-7(1).
- (8) The division shall remit the fees collected under Subsection 53-3-105(30) to the Bureau of Criminal Identification to cover the costs for the services the Bureau of Criminal Identification provides under Section 53-3-205.5.
- (9)
 - (a) Beginning on January 1, 2013, the Legislature shall appropriate all money received in the account under Section 41-1a-1201 to the Utah Highway Patrol Division for field operations.
 - (b) The Legislature may appropriate additional money from the account to the Utah Highway Patrol Division for law enforcement purposes.
- (10) Appropriations to the department from the account are nonlapsing.
- (11) The department shall report to the Department of Health, on or before December 31, the amount the department expects to collect under Subsection 53-3-105(24) in the next fiscal year.

Amended by Chapter 252, 2014 General Session

Amended by Chapter 343, 2014 General Session

53-3-108 Authority to administer oaths.

Officers and employees of the division designated by the director for the purpose of administering this chapter may administer oaths and acknowledge signatures and shall do so without fee.

Enacted by Chapter 216, 1999 General Session

53-3-109 Records -- Access -- Fees -- Rulemaking.

- (1)
 - (a) Except as provided in this section, all records of the division shall be classified and disclosed in accordance with Title 63G, Chapter 2, Government Records Access and Management Act.
 - (b) The division may only disclose personal identifying information:
 - (i) when the division determines it is in the interest of the public safety to disclose the information; and
 - (ii) in accordance with the federal Driver's Privacy Protection Act of 1994, 18 U.S.C. Chapter 123.
 - (c) The division may disclose personal identifying information:
 - (i) to a licensed private investigator holding a valid agency license, with a legitimate business need;
 - (ii) to an insurer, insurance support organization, or a self-insured entity, or its agents, employees, or contractors that issues any motor vehicle insurance under Title 31A, Chapter 22, Part 3, Motor Vehicle Insurance, for use in connection with claims investigation activities, antifraud activities, rating, or underwriting for any person issued a license certificate under this chapter; or
 - (iii) to a depository institution as defined in Section 7-1-103 for use in accordance with the federal Driver's Privacy Protection Act of 1994, 18 U.S.C. Chapter 123.
- (2)
 - (a) A person who receives personal identifying information shall be advised by the division that the person may not:
 - (i) disclose the personal identifying information from that record to any other person; or
 - (ii) use the personal identifying information from that record for advertising or solicitation purposes.
 - (b) Any use of personal identifying information by an insurer or insurance support organization, or by a self-insured entity or its agents, employees, or contractors not authorized by Subsection (1)(c)(ii) is:
 - (i) an unfair marketing practice under Section 31A-23a-402; or
 - (ii) an unfair claim settlement practice under Subsection 31A-26-303(3).
- (3)
 - (a) Notwithstanding the provisions of Subsection (1)(b), the division or its designee may disclose portions of a driving record, in accordance with this Subsection (3), to:
 - (i) an insurer as defined under Section 31A-1-301, or a designee of an insurer, for purposes of assessing driving risk on the insurer's current motor vehicle insurance policyholders;
 - (ii) an employer or a designee of an employer, for purposes of monitoring the driving record and status of current employees who drive as a responsibility of the employee's employment if the requester demonstrates that the requester has obtained the written consent of the individual to whom the information pertains; and
 - (iii) an employer or the employer's agents to obtain or verify information relating to a holder of a commercial driver license that is required under 49 U.S.C. Chapter 313.
 - (b) A disclosure under Subsection (3)(a)(i) shall:
 - (i) include the licensed driver's name, driver license number, date of birth, and an indication of whether the driver has had a moving traffic violation that is a reportable violation, as defined under Section 53-3-102 during the previous month;
 - (ii) be limited to the records of drivers who, at the time of the disclosure, are covered under a motor vehicle insurance policy of the insurer; and
 - (iii) be made under a contract with the insurer or a designee of an insurer.

- (c) A disclosure under Subsection (3)(a)(ii) or (iii) shall:
 - (i) include the licensed driver's name, driver license number, date of birth, and an indication of whether the driver has had a moving traffic violation that is a reportable violation, as defined under Section 53-3-102, during the previous month;
 - (ii) be limited to the records of a current employee of an employer;
 - (iii) be made under a contract with the employer or a designee of an employer; and
 - (iv) include an indication of whether the driver has had a change reflected in the driver's:
 - (A) driving status;
 - (B) license class;
 - (C) medical self-certification status; or
 - (D) medical examiner's certificate under 49 C.F.R. Sec. 391.45.
- (d) The contract under Subsection (3)(b)(iii) or (c)(iii) shall specify:
 - (i) the criteria for searching and compiling the driving records being requested;
 - (ii) the frequency of the disclosures;
 - (iii) the format of the disclosures, which may be in bulk electronic form; and
 - (iv) a reasonable charge for the driving record disclosures under this Subsection (3).
- (4) The division may:
 - (a) collect fees in accordance with Section 53-3-105 for searching and compiling its files or furnishing a report on the driving record of a person;
 - (b) prepare under the seal of the division and deliver upon request, a certified copy of any record of the division, and charge a fee under Section 63J-1-504 for each document authenticated; and
 - (c) charge reasonable fees established in accordance with the procedures and requirements of Section 63J-1-504 for disclosing personal identifying information under Subsection (1)(c).
- (5) Each certified copy of a driving record furnished in accordance with this section is admissible in any court proceeding in the same manner as the original.
- (6)
 - (a) A driving record furnished under this section may only report on the driving record of a person for a period of 10 years.
 - (b) Subsection (6)(a) does not apply to court or law enforcement reports, reports of commercial driver license violations, or reports for commercial driver license holders.
- (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division may make rules to designate:
 - (a) what information shall be included in a report on the driving record of a person;
 - (b) the form of a report or copy of the report which may include electronic format;
 - (c) the form of a certified copy, as required under Section 53-3-216, which may include electronic format;
 - (d) the form of a signature required under this chapter which may include electronic format;
 - (e) the form of written request to the division required under this chapter which may include electronic format;
 - (f) the procedures, requirements, and formats for disclosing personal identifying information under Subsection (1)(c); and
 - (g) the procedures, requirements, and formats necessary for the implementation of Subsection (3).
- (8)
 - (a) It is a class B misdemeanor for a person to knowingly or intentionally access, use, disclose, or disseminate a record created or maintained by the division or any information contained

in a record created or maintained by the division for a purpose prohibited or not permitted by statute, rule, regulation, or policy of a governmental entity.

- (b) A person who discovers or becomes aware of any unauthorized use of records created or maintained by the division shall inform the commissioner and the division director of the unauthorized use.

Amended by Chapter 175, 2016 General Session